



Brussels, 30 April 2019
(OR. en)

8588/19
ADD 1

DENLEG 55
AGRI 221
SAN 217
DELECT 119

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. prev. doc.: 8252/19
No. Cion doc.: 7620/19 + ADD 1

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 14.3.2019
amending Delegated Regulation (EU) 2016/217 with regard to vitamin D
requirements for infant formula and erucic acid requirements for infant
formula and follow-on formula
- Statement

Joint statement from Belgium, France, Luxembourg, Hungary and Portugal

Belgium, France, Luxembourg, Hungary and Portugal fully support the scientific grounds and the technical content of this delegated act.

However, we consider that:

1. It is essential to remain consistent with the legal basis provided by Framework Regulation (EEC) No 315/93 laying down Community procedures for contaminants in food and with the horizontal approach fostered since the Commission's 1997 Green Paper on the general principles of food law in the European Union.
2. Therefore, the new proposed maximum level for the contaminant erucic acid should be set in Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs.

3. A transition period regarding the application of the new maximum limit for vitamin D in infant formulae should be granted.

We invite the European Commission to amend the relevant legal provisions, accordingly.
